

2 January 1979

STAT NOTE FOR: [redacted]
Special Assistant to the DCI

STAT FROM: [redacted]
Chief, Community Security Group

STAT 1. [redacted] called me today, 29 December 1978, recalled your observation at the last meeting that the DCI desired to discontinue the use of Eyes Only marking (Ref the 12 Dec NFIB discussion by Adm. Inman), pointed out the routine use of Eyes Only on the NID and suggested the DCI might set an example for the community by starting at home to apply his directions.

STAT 2. [redacted] in response to my question about DIA's feeling on adoption of the negative presumption that National Foreign Intelligence was "NOFORN" unless specifically identified for release (contained in a current draft of DCID 1/7) said that he had seen an impassioned staff pitch that such an approach not be adopted. The reason for this position appears to be based upon historical precedence and that it would be administrative nightmare to attempt to change the practice.

3. As your security advisor, I must take exception to this position. It is contrary to any concept of reasonable security to endorse a practice that presumes our intelligence can be released to foreign governments by the current holder unless the originator specifically marks it NOFORN. It is actually prohibited by written regulations which relate to unauthorized disclosures - regulations extant in all departments and agencies in one form or another. Further, it leads to the practice of over use of the markings ORCON by agencies who feel compelled to protect their material from routine foreign release.

4. It is recommended that very careful consideration be given before any action is taken to discard a mandate for application of the negative presumption.



STAT

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